

PLAN AMENDMENT REPORT

Meeting Date: January 17, 2012

Reference Name	Guess Road Apartments (A1100006)		Jurisdiction	City
Applicant	Jess Brandes, CASA			
Request Change in Comprehensive Plan Designation	From:	Office		
	To:	Medium-High Density Residential (8-20 DU/Ac.)		
Site Characteristics	Tier:	Urban		
	Present Use:	Vacant, Single-family residential		
	Present Zoning:	Office and Intuition, Residential Urban Multifamily		
	Overlays:	N/A		
	Size:	0.45 acres		
Location	Northeast quadrant of the intersection at Guess Road and Sedgefield Street			
PIN(s)	0822-10-46-7874, -8718, -8973 (partial)			
Recommendations	Staff	Approval, based on the justification and the request meeting the four criteria for plan amendments.		
	Planning Commission	Approval, November 15, 2011, 9-0, based on information provided in the staff report, the justification, and meeting the four criteria for plan amendments.		

A. Summary

The proposed plan amendment would change the Future Land Use Map designation from Office to Medium-High Density Residential (8-20 DU/Ac.) for two parcels and a portion of one other, which is split between two future land use designations. The total land area to be affected is 0.45 acres and is located at the northeast quadrant of the intersection at Guess Road and Sedgefield Street. There is an associated zoning map change request (Z1100018) for these parcels.

B. Site History

In 1974 the site was the subject of a zoning map change request from the R-6 residential district to the OI office and institutional district. The Planning Commission and City Council approved this request, and extended the boundaries of the OI district to both sides of Guess Road from Berkeley Street to approximately Clarendon Street. This change was reflected in the Future Land Use Map of the *Northwest Central Durham Plan* (1992), where the site was designated for Office uses.

C. Existing Site Characteristics

Three parcels are included in the proposed project site, one of which houses a residential structure built in 1948. The subject site is outside of a watershed protection overlay. The site has a slight slope downward toward Guess Road. The parcel with frontage onto Sedgefield Street has been cleared, though trees surround the perimeter. Two large hardwood trees occupy the corner lot at Guess Road and Sedgefield Road. Sidewalks line either side of Guess Road and connect the site to Northgate Mall and a commercial node at Broad Street. The nearest existing bus stop is near the intersection of Broad Street and Guess Road, and within walking distance of 1/4 mile from the site. Please refer to Attachment 2 for aerial imagery of the site.

D. Applicant's Plan Amendment Justification

The applicant requests to amend the Future Land Use Map designation to Medium-High Density Residential from Office. In a statement provided by the applicant, the argument is made that, "there are three reasons why this plan amendment is justified and in the public interest." These reasons include, "the amendment makes more usable an otherwise incompatible parcel of land; it increases the design options to create an attractive and functional development; and it allows for an increase in a critical community need – quality, affordable rental housing." Please refer to Attachment 3 for the complete justification statement provided by CASA.

Staff Response: Developing these properties under one land use designation would allow for a better, more compatible design of the site. Additionally, the applicant notes that the parcels are smaller than the 20,000 SF minimum required by the Unified Development Ordinance for the OI district. The plan amendment request is justified based on a more detailed analysis of the site and situation.

E. Criteria for Plan Amendments

The Unified Development Ordinance (UDO) contains criteria for the Planning Commission to use in considering proposals to amend the *Durham Comprehensive Plan*. (See Section 3.4.7, Criteria for Planning Commission Recommendations). The proposed plan amendment has been evaluated against these criteria.

- A. Whether the proposed change would be consistent with the intent, goals, objectives, policies, guiding principles and program of any adopted plans;
- B. Whether the proposed change would be compatible with the existing land use pattern and designated future land uses;
- C. Whether the proposed change would create substantial adverse impact in the adjacent area or in the City or County in general; and
- D. Whether the subject parcel is of adequate shape and size to accommodate the proposed change.

1. Plan Consistency

The *Durham Comprehensive Plan* is a policy document intended to guide growth and development in an organized and efficient manner. The Plan addresses a range of topics related to land use, housing, community character, environment and conservation, transportation, and more. Evaluating the proposed plan amendment for consistency with these relevant policies is crucial in determining if changing the Future Land Use Map is appropriate.

Land Use

Durham Comprehensive Plan Policy 2.2.2b., Demand for Residential Land, indicates that in designating land for residential uses and evaluating Plan Amendments, the Governing Boards and City-County Planning Department shall consider the demand for residential land and the capacity of the transportation, water, and sewer systems, and other public facilities and services.

Analysis: By 2035 there will be demand for 167,000 dwelling units county-wide. On the Future Land Use Map, enough land is designated to accommodate 210,000 dwelling units, meaning there is a surplus of land already designated for residential uses.

Durham Comprehensive Plan Policy 2.2.4a. Demand for Office Land, indicates that in evaluating Plan Amendments, the Governing Boards and City-County

Planning Department shall consider the demand for office land and the capacity of the transportation, water, and sewer systems, and other public facilities and services.

Analysis: By 2035 there will be demand for 2,154 acres of office land county-wide. On the Future Land Use Map enough land is designated to accommodate 2,900 acres, meaning the loss of 0.45 acres of office land associated with this plan amendment is insignificant.

Durham Comprehensive Plan Policy 2.3.3c., Urban Tier Residential Density, indicates that residential development in the Urban Tier should achieve a range of densities defined in Table 2-1 of the *Durham Comprehensive Plan*.

Analysis: The proposed Medium-High Density Residential land use, defined as 8-20 Dwelling Units/Acre, fits within the parameters of this policy.

Housing

Durham Comprehensive Plan Objective 3.1.3., Rental Housing, indicates that opportunities for affordable rental housing ought to be expanded through new construction and the preservation of existing rental units.

Analysis: The applicant, CASA, builds permanently affordable rental housing in neighborhoods with access to jobs and transit for persons with disabilities and persons of low income, in support of this objective.

Community Character and Urban Design

Durham Comprehensive Plan Policy 4.3.2a. Infill, indicates that compatible infill housing should be encouraged on vacant or underutilized property within residentially developed portions of the community.

Analysis: Two of the three parcels of this proposed development site are vacant of development and the third is a vacant house. A residential use at the proposed Medium-High density range would be compatible with surrounding developments. An infill project at this location would meet the intent of this policy.

Transportation

Durham Comprehensive Plan Policy 8.1.2a., Transportation Level of Service Standards (LOS), indicates that the LOS for roads within the Urban Tier shall achieve a minimum of LOS D.

Analysis: The major roads impacted by the proposed change in future land use are Guess Road to the south and Broad Street to the west. Guess Road is currently a four lane undivided arterial designed to accommodate 24,900 average daily trips (ADT), and according to the most recent traffic volume count (2009) there were 10,000 annual average daily trips (AADT) (40% of capacity). Broad Street is designed to accommodate 21,600 ADT, and the most recent traffic volume counts (2009) reported 11,000 AADT (51% of capacity). A detailed assessment of traffic impacts is included in the zoning map change staff report, and demonstrates that a Medium-High Residential use at this site would not cause the Level of Service on either Broad Street or Guess Road to fall below Level of Service Standards indicated by this policy.

Conservation and Environment

Durham Comprehensive Plan Policy 7.1.7a., Water Demand Generation Rates, indicates the City-County Planning Department shall consider the impact of proposed zoning and plan amendment changes on water demand.

Analysis: Development allowed under the proposed plan amendment change is estimated to generate a maximum demand for water of 1,215 gallons per day (GPD). This represents an increase of water demanded by approximately 936 GPD from what development with the adopted Office land use designation would allow. Durham has sufficient capacity in water supply to accommodate the change of designation.

Water Supply Impacts	
Current Water Supply Capacity	37.00 MGD
Present Usage	26.88 MGD
Committed to Date (July 2008 – June 2011)	0.68 MGD
Available Capacity	9.44 MGD
Maximum Water Demand Under Adopted Office Use ¹	279 gallons/day
Maximum Water Demand Under Proposed Medium-High Density Residential (20 DU/Ac.) ²	1,215 gallons/day
Impact of Proposed Plan Amendment	936 gallons/day
Notes: MGD = Million gallons per day	
¹ Maximum water demand of the adopted Future Land Use (OFC: 3,724 SF)	
² Maximum water demand of the proposed Future Land Use (MHD: 9 multiplex units)	

Staff Conclusion: There is adequate infrastructure capacity to service this site. The request is consistent with the intent of the goals, objectives, policies,

guiding principles and programs of adopted plans and, therefore, meets criterion 3.4.7.A.

2. Compatibility

The site is located in the northeast quadrant of the intersection at Guess Road and Sedgefield Street in northwest central Durham. The site is within the Urban Tier and is located in proximity to Interstate 85 and Northgate Mall. Historically an urban residential street, Guess Road has long been transitioning to a more traveled thoroughfare.

Area Land Uses and Designations		
	Existing Uses	Future Land Use Designations
North	Multi-family residential	Medium-High Density Residential
East	Single-family residential	Office
South	Single and two-family residential	Office
West	Office in residential structures	Office

Existing Uses: The site of the proposed plan amendment is bordered to the north by several multi-family residential apartment complexes; to the south by single and two-family residential neighborhoods; to the immediate east by single-family residential and further east by Northgate Mall; and to the west by offices located in residential structures.

Future Land Use Designations: According to the adopted Future Land Use Map, parcels south, east and west of the site are expected to develop as Office, which can act as a transition from Guess Road to the neighborhoods located to both the north and south. North of the site is expected to remain developed as Medium-High Density Residential (8-20 DU/Ac.).

Analysis: A Medium-High Density Residential use would be compatible with existing surrounding densities and land uses, especially north of the site. This location on Guess Road, where there are good sidewalk connections and access to transit, is a suitable location for Medium-High Density Residential.

Staff Conclusion: The proposed plan amendment is compatible with the existing land use pattern and designated future land uses in the area and, therefore, meets criterion 3.4.7.B.

3. Adverse Impacts

South Ellerbe Creek is approximately 0.18 miles southeast, and Ellerbe Creek is approximately 0.41 miles northwest of the site. Tributary streams and floodplain do not extend onto the site. It is outside of a Watershed Protection Overlay. There is no reason to believe that any of the environmental features of this area would preclude the site from being developed consistent with Unified Development Ordinance standards.

Staff Conclusion: The proposed plan amendment would not create substantial adverse impact in the adjacent area or in the City or County in general and, therefore, meets criterion 3.4.7.C.

4. Adequate Shape and Size

The area requested for amendment is approximately 0.45 acres that would contribute to a project area totaling 1.347 acres, which meets the size and shape requirements for residential development in the Urban Tier.

Staff Conclusion: The applicant is correct in pointing out that the existing lots fall short of the 20,000 SF minimum required by the UDO in the OI zoning district. Combined, these lots are large enough for a residential infill development, and are shaped conducive to a design where parking is hidden from street views. The site is of adequate shape and size to accommodate the use pursuant to the proposed change and, therefore, meets criterion 3.4.7.D.

F. Notification

Staff certifies that notification, including newspaper advertisements and letters to property owners within 1,000 feet of the site, has been carried out in accordance with Section 3.2.5 of the UDO. The following neighborhood organizations were mailed notices:

- Watts Hospital-Hillandale Neighborhood Association
- Inter-Neighborhood Council
- Partners Against Crime - District 2
- Walltown Community Association
- Fayetteville Street Planning Group
- Pennsylvania Avenue Neighborhood Group
- Friends of South Ellerbee Creek
- Ellerbee Creek Watershed Association
- Friends of Durham
- Unity in the Community for Progress

G. Recommendations

Staff recommends approval, based on the justification and the request meeting the four criteria for plan amendments.

Planning Commission recommended approval at its November 15, 2011 meeting, 9-0, based on information provided in the staff report, the applicant's justification, and meeting the four criteria for plan amendments.

H. Staff Contact

Hannah Jacobson, Planner, 560-4137 x28247, hannah.jacobson@durhamnc.gov

I. Attachments

Attachment 1, Context Map

Attachment 2, Aerial Photograph

Attachment 3, Applicant's Plan Amendment Justification

Attachment 4, Planning Commission Written Comments

Attachment 5, Resolution